

AMENDED IN ASSEMBLY MARCH 20, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 395**

**Introduced by Assembly Member Koretz**

February 14, 2003

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An act to add Section 4826.5 to the Business and Professions Code, relating to veterinarians.

LEGISLATIVE COUNSEL'S DIGEST

AB 395, as amended, Koretz. Surgical procedures: cats.

Existing law regulates the licensure of veterinarians and the practice of veterinary medicine, *and* defines the practice of veterinary medicine. These provisions are administered by the Veterinary Medical Board. A violation of the provisions governing veterinarians is a crime.

This bill would prohibit a licensee of the board from performing, *procuring, or arranging for* surgical claw removal ~~procedures~~, declawing, *onychectomy*, or ~~flexor~~ tendonectomy on a cat, including a cat that is a member of a ~~large and~~ *native, wild, or exotic* cat species, as defined, *or from altering such a cat's toes, claws, or paws in order to prevent their normal functioning.*

Because a violation of this prohibition would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 4826.5 is added to the Business and  
2 Professions Code, to read:

3 4826.5. (a) A licensee shall not perform, *or otherwise*  
4 *procure or arrange for the performance of*, surgical claw removal  
5 ~~procedures~~, declawing, *onychectomy*, or ~~flexor~~ tendonectomy on  
6 any cat, including a cat that is a member of a ~~large and~~ *native, wild,*  
7 *or exotic cat species, and shall not otherwise alter such a cat's*  
8 *toes, claws, or paws to prevent the normal function of the cat's toes,*  
9 *claws, or paws.*

10 (b) For purposes of this section, the following terms have the  
11 following meanings:

12 (1) “Declawing” ~~means onychectomy, or a~~ and  
13 “*onychectomy*” ~~mean any~~ surgical procedure in which *a portion*  
14 ~~of the animal's toes are~~ *paw is* amputated ~~at the last joint~~ in order  
15 to remove the animal's claws.

16 (2) ~~“Flexor tendonectomy”~~ “*Tendonectomy*” means a  
17 procedure in which the tendons to an animal's *limbs, paws, or toes*  
18 are cut *or modified* so that the claws cannot be extended.

19 (3) ~~“Large and~~ “*Native, wild, or exotic cat species*” include,  
20 but are not limited to, lions, tigers, cougars, leopards, lynxes,  
21 bobcats, and jaguars, *or any hybrid thereof*, and the board may  
22 designate other species that qualify as falling within this category.

23 SEC. 2. No reimbursement is required by this act pursuant to  
24 Section 6 of Article XIII B of the California Constitution because  
25 the only costs that may be incurred by a local agency or school  
26 district will be incurred because this act creates a new crime or  
27 infraction, eliminates a crime or infraction, or changes the penalty  
28 for a crime or infraction, within the meaning of Section 17556 of  
29 the Government Code, or changes the definition of a crime within  
30 the meaning of Section 6 of Article XIII B of the California  
31 Constitution.